

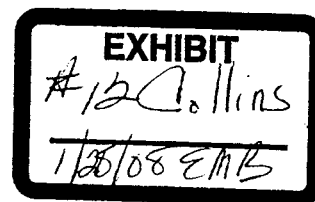
**Lin v. MetLife**

**07 civ. 3218**

## **EXHIBIT N**

**Collins, Eileen**

**From:** Eustice, Robert  
**Sent:** Wednesday, September 29, 2004 4:23 PM  
**To:** Collins, Eileen  
**Cc:** Brown, Lynette M.  
**Subject:** FW: Bang Lin Case  
**Importance:** High



Eileen,

I received your "final answer" on this case. The Rep said that the client would like the results of your findings released to him, because he is unaware of any conditions that would cause the decision. What do you need from here & please copy Lynette? The client wanted to know if he could do the exam & fluid tests again in case they did a bad test or something? Does he have that right & would those results be reconsidered? Please advise. Thanks for your reconsideration & help on this case.

Bob

-----Original Message-----

**From:** Johnson Leung [mailto:jleung7526@yahoo.com]  
**Sent:** Tuesday, September 28, 2004 4:46 PM  
**To:** Eustice, Robert  
**Subject:** Re: Bang Lin Case

I need super...

----- Original Message -----

**From:** Eustice, Robert  
**To:** 'jleung7526@yahoo.com'  
**Cc:** Brown, Lynette M.  
**Sent:** Tuesday, September 28, 2004 11:49 AM  
**Subject:** Bang Lin Case

Johnson, we appealed to the UW on this case for you and they would only move one class - to preferred ns at \$730/yr vs the \$570 for spns that you had hoped for. I've attached the new quote. Please advise if the client will accept. This is their final offer. Remember the discount is in year one only, so the cost drops \$109.50 to ~~\$620.50~~ and then goes back to \$730 in subsequent years. Let me know if you want us to issue this case asap. Thanks.

<<Lin-Bang.pdf>>

Bob Eustice, CLU, ChFC  
 John Hancock Financial Services  
 Brokerage Mgr. - Agency 128  
 (888) 793-1872, ext. 324#  
 (515) 223-7777, ext. 324#  
 (515) 223-5470 - fax

2004 SEP 30 AM 10:08

JH 0204

9/29/2004

JEAN LIN  
VERSUS  
JOHN HANCOCK LIFE INSURANCE COMPANY

TRANSCRIPT AND WORD INDEX OF DEPOSITION OF:

EILEEN COLLINS

January 28, 2008

*Leavitt Reporting, Inc.  
1207 Commercial Street Rear  
Weymouth, MA 02189  
Telephone (781) 335-6791  
Fax (781) 335-7911  
leavittreporting@verizon.net*

1 **A. Yes.**

2 MR. TRIEF: Mark this as Exhibit  
3 No. 12, please, a letter from Robert Eustice to  
4 Eileen Collins regards the Bang Lin case.  
5 (Exhibit No. 12 marked for  
6 identification.)

7 **Q.** Did you receive this series of e-mails,  
8 Exhibit No. 12?

9 **A. Yes.**

10 **Q.** These e-mails occur after you offered the  
11 preferred rate, correct?

12 **A. I believe so, yes.**

13 **Q.** Were you aware that the client had offered  
14 to redo the exam and fluid tests again?

15 **A. Yes.**

16 **Q.** And you chose not to have it done, correct?

17 **A. Correct.**

18 **Q.** If the client was offering to redo the exam  
19 and fluid tests, why did you decline that if you were  
20 concerned at all?

21 **A. We just don't retest. It's just something**  
22 **that we don't do.**

23 **Q.** Were you aware that the client was unaware

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1 of any conditions that would have caused him not to  
2 get a good rate?

3 **A. Yes.**

4 **Q.** So as far as you were concerned, there were  
5 no intentional misrepresentations of the client that  
6 you could tell, correct?

7 MR. ROONEY: Objection to the form of  
8 the question.

9 MR. TRIEF: You can answer.

10 **A. Correct.**

11 **Q.** Doesn't how the agent asks questions and if  
12 the agent asks questions affect intentional  
13 misrepresentation?

14 **A. I mean he should be asking the way the**  
15 **application reads.**

16 **Q.** I understand. You would want him to do  
17 that?

18 **A. Yes.**

19 **Q.** That wasn't the question. Doesn't the way  
20 an agent asks the questions and whether he asks the  
21 questions affect intentional misrepresentation?

22 **A. I guess it could.**

23 **Q.** Did you ever respond to the agent's request

1 that Mr. Lin be retested and you would reconsider the  
2 results upon retesting, did you ever respond to him?

3 **A. I don't know.**

4 **Q.** Did you look through e-mails with respect to  
5 this case?

6 **A. I don't know if there was any e-mail after**  
7 **this one or not.**

8 MR. TRIEF: Mark this as Exhibit  
9 No. 13, please.

10 (Exhibit No. 13 marked for  
11 identification.)

12 **Q.** Look at Exhibit No. 13. Is that the  
13 response?

14 **A. Yes.**

15 **Q.** You declined in that response to allow him  
16 to be retested, correct?

17 **A. Yes.**

18 **Q.** You indicated that he was getting an  
19 exception as it is, correct?

20 **A. Yes.**

21 **Q.** Again you refer to elevation in labs in the  
22 plural. Are you referring to one thing or more than  
23 one thing?

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1 **A. I believe I was only concerned with the**  
2 **cholesterol HDL.**

3 **Q.** Again the bilirubin was no consideration for  
4 you at all?

5 **A. No.**

6 **Q.** So you had in this particular case an Asian  
7 gentleman who had elevated bilirubins and was getting  
8 hepatitis A vaccine and there was no concern that you  
9 had about that?

10 **A. No, I thought it was a minor elevation.**

11 MR. TRIEF: Mark this as Exhibit  
12 No. 14, please.

13 (Exhibit No. 14 marked for  
14 identification.)

15 **Q.** Did you have occasion to review the schedule  
16 on the 30 (b)(6) notice?

17 **A. Did I?**

18 **Q.** Yes.

19 **A. No.**

20 MR. TRIEF: Is she produced as a 30  
21 (b)(6) witness?

22 MR. ROONEY: No, she was individually  
23 identified as the deponent as well.